

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_  
:  
**v.** : **DATE FILED** \_\_\_\_\_  
:  
**BARBARA WITUSCHEK** : **VIOLATIONS:**  
: **29 U.S.C. § 501(c) (embezzlement from a  
union fund - 2 counts)**

**INDICTMENT**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 161 (“Local 161”), known as the Riggers, was a “labor organization” engaged in activities affecting interstate commerce within the meaning of Title 29 of the United States Code. Local 161 had approximately 115 members who specialized in plant installations and machinery moving in Philadelphia, Bucks, Montgomery, Chester, and Delaware Counties. Local 161 was affiliated with the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, ALF-CIO (“the International”). It negotiated and was a signatory to collective bargaining agreements with the Contracting Riggers Association in Philadelphia, Pennsylvania. Local 161 maintained its business office at 3460 N. Delaware Avenue, Philadelphia, Pennsylvania.

2. Defendant BARBARA WITUSCHEK was hired in or about 2000 as a part-time secretary for Local 161's business manager James F. Jordan, III, charged elsewhere, and earned an approximate net salary of \$300/week.

3. Defendant BARBARA WITUSCHEK assisted James F. Jordan, III, in the daily operations of Local 161 including the disbursement of checks from the general union fund. Any union check defendant WITUSCHEK prepared required Jordan's approval.

4. Defendant BARBARA WITUSCHEK stole approximately \$5,744.41 from Local 161's general union fund by issuing two unauthorized checks made payable to herself and her former husband, R.W. Defendant WITUSCHEK cashed both of the checks.

5. On or about the dates listed below, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**BARBARA WITUSCHEK**

embezzled, stole, and unlawfully and willfully abstracted and converted to her own use moneys and funds of the Iron Workers Local 161, a "labor organization" engaged in an industry affecting interstate commerce within the meaning of Title 29 of the United States Code, in that, defendant WITUSCHEK issued and cashed two unauthorized checks from Local 161's general union fund, as follows:

COUNT	DATE	CHECK NO.	AMOUNT
1	August 31, 2001	1184	\$3,745.41
2	November 21, 2001	1291	\$2,000.00
		<b>TOTAL</b>	<b>\$5,745.41</b>

All in violation of Title 29, United States Code, Section 501(c).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**PATRICK L. MEEHAN**  
**United States Attorney**